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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,685	03/15/2004	Takashi Ito	KAW-318-USAP	8648
<div>7590 Ronald R. Snider P.O. Box 27613 Washington, DC 20038-7613</div>			<div>EXAMINER PIERY, MICHAEL T</div>	
			<div>ART UNIT 4123</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE 10/31/2007</div>	<div>DELIVERY MODE PAPER</div>

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/799,685

Applicant(s)

ITO ET AL.

Examiner

Michael T. Piery

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 6/8/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is the initial office action based on the 10/799,685 application filed on March 15, 2004. Claims 1-7, as originally filed, are currently pending and have been considered below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-7 rejected under 35 U.S.C. 102(b) as being anticipated by Kawakita (Japanese Patent Publication Number 2002-096344).

Regarding claim 1, Kawakita teaches a method comprising the steps of: designing and making, according to the optimized form of the optical device, a temporary molding die for molding the optical device (Paragraph 0020); molding a first temporary optical device by using the temporary molding die (Paragraph 0023); measuring a wavefront aberration of thus molded first temporary optical device (0024); calculating a correction wavefront aberration compensating for the wavefront aberration (Paragraph 0027); designing by using at least the plurality of optical parameters a second temporary optical device for optimizing a form so as to exhibit the correction wavefront aberration (Paragraph 0033); and designing, according to the optimized form of the second temporary optical device, a normal molding die for molding a normal optical device (Paragraph 0033 and Paragraph 0023).

Regarding claim 2, Kawakita teaches a method according to claim 1, as discussed above, further comprising the steps of: molding the normal optical device by using the normal molding

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die (Drawing 1); measuring a wavefront aberration of thus molded optical device (Paragraph 0024); and recalculating the correction wavefront aberration when the wavefront aberration has a value greater than a predetermined reference value (Paragraph 0027), and repeating subsequent steps until the value of the correction wavefront aberration becomes the reference value or less (Drawing 2).

Regarding claim 3, Kawakita teaches a method according to claim 1, as discussed above, wherein the wavefront aberration correction and wavefront aberration are measured by using an interferometer apparatus for measuring a transmitted wavefront (Paragraph 0024). Kawakita discloses using transmitted wave side measurement; this type of measurement is the function of an interferometer.

Regarding claim 4, Kawakita teaches a method according to claim 1, as discussed above, wherein a plurality of wavefront aberration amounts are measured in a plurality of divided areas, respectively, and respective correction wavefront aberration amounts are calculate for thus measured plurality of wavefront aberration amounts (Paragraph 0024).

Regarding claim 5, Kawakita teaches a method according to claim 1, as discussed above, wherein at least one surface of the optical device is an aspheric surface (Paragraph 0020).

Regarding claim 6, Kawakita teaches a method according to claim 1, as discussed above, wherein the optical device is a single lens, used for an optical pickup objective lens, having aspheric surfaces on both sides (Paragraph 0002).

Regarding claim 7, Kawakita teaches a method according to claim 1, as discussed above, wherein the molding die is used for pres molding or injection molding (Paragraph 0038).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael T. Piery whose telephone number is 571-270-5047. The examiner can normally be reached on M-Th 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joe Del Sole can be reached on (571)272-1130. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MTP


JOSEPH DEL SOLE
SUPERVISORY PATENT EXAMINER

10/26/07